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**FACSIMILE COVER SHEET**

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Date: May 22, 2006

File Number: 01ZS-105709

Total number of pages:  
(including 1-page cover sheet)

**5**

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**TO:**

**Facsimile No.**

**Telephone No.**

**United States Patent & Trademark Office  
(Central Facsimile Number)**

**(571) 273-8300**

From: David Schnapf, Reg. No. 31,566

Direct Dial: 415-774-3282

Re: USSN: 10/626,104

**MESSAGE:**

**PLEASE SEE ATTACHED.**

NOTE: THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

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PAGE 1/5 \* RCVD AT 5/22/2006 6:52:17 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-5/14 \* DNIS:2738300 \* CSID:415 434 3947 \* DURATION (mm-ss):01-26

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/626,104  
Applicant: Ohkubo, et al.  
Filed: July 23, 2003  
Title: RIDGE WAVEGUIDE SEMICONDUCTOR LASER DIODE  
Examiner: Van Roy, Tod Thomas  
Art Unit: 2828  
Docket No.: 01ZS-105709  
Date: May 22, 2006

RENEWED PETITION UNDER 37 CFR § 1.137(b)

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby submits a renewed petition for revival of the above-identified patent application. A copy of the original Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) is enclosed, as is a copy of the Decision on Petition.

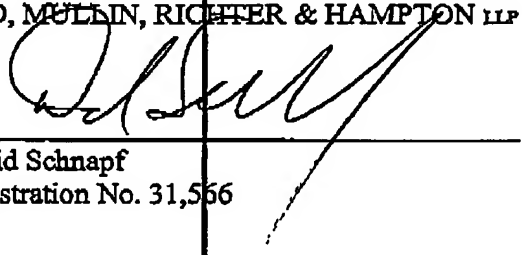
The Commissioner is hereby authorized to charge Deposit Account No. 501395 to cover the petition fee of \$1500.00.

Applicant confirms that the address for correspondence for this application is the Los Angeles address of Sheppard Mullin and so no change of address for this application will be filed.

Respectfully submitted,

SHEPPARD, MULLIN, RICHTER &amp; HAMPTON LLP

By:

  
David Schnapf  
Registration No. 31,566

Enclosure  
Sheppard, Mullin, Richter & Hampton LLP  
333 South Hope Street, 48th Floor  
Los Angeles, California 90071  
(213) 620-1780

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OFFICE OF PETITIONS

In re Application of  
Ohkubo, et al.  
Application No. 10/626,104  
Filed: July 23, 2003  
Attorney Docket No. 01ZS-105709

:  
:  
: DECISION ON  
: PETITION  
:

This is in response to the petition, filed January 18, 2006, to revive an unintentionally abandoned application under 37 CFR 1.137(b).

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.137(b)." This is not a final agency decision within the meaning of 5 USC 704.

The above-identified application became abandoned for failure to timely pay the issue fee as required by the Notice of Allowance mailed on October 14, 2005. This notice set a statutory period for reply of three months. No issue fee having been received, the above-identified application became abandoned on January 15, 2005. The mailing of this decision precedes the mailing of a Notice of Abandonment.

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Application No. 10/626,104

Page 2

Receipt of the \$1,400 issue fee and the \$300 publication fee is acknowledged. However, petitioner's deposit account did not contain sufficient funds to charge the \$1,500 petition fee. The petition fee must be filed before the petition can be considered on the merits.

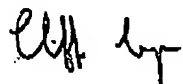
The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Further correspondence concerning this application should be addressed as follows:

By mail: Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

By FAX: (571) 273-8300  
Attn: Office of Petitions

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3207.



Cliff Congo  
Petitions Attorney  
Office of Petitions

cc: Sheppard Mullin Richter & Hampton LLP  
Four Embarcadero Center  
17th Floor  
San Francisco, CA 94111